

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KESTREL HOLDINGS I, L.L.C.,

Plaintiff,

v.

04-MBD-10068-NG

LEARJET INC. and BOMBARDIER INC.,

Defendants.

MOTION PURSUANT TO LOCAL RULE 83.5.3(b)
FOR ADMISSION *PRO HAC VICE*

NOW COMES Nicholas J. Walsh, attorney for the Plaintiff, Kestrel Holdings I, L.L.C., in the above-captioned matter, and hereby moves pursuant to Rule 83.5.3(b) of the Local Rules of the United States District Court for the District of Massachusetts for the admission, *pro hac vice*, of Gary D. Justis, Esq. ("Justis"). The basis for this motion is as follows:

1. I am an attorney in the firm of Dwyer & Collora, LLP, and am a member in good standing of the bars of the State of New York, the United States District Court for the District of Massachusetts, the United States Court of Appeals for the First Circuit, and the Supreme Judicial Court of Massachusetts. I have entered an appearance in this action on behalf of the defendant, Kestrel Holdings I, L.L.C.

2. Justis is an attorney in the law firm Lathrop & Gage, L.C., in Overland Park, Kansas, and is counsel for the Plaintiff, Kestrel Holdings I, L.L.C.

3. Justis is admitted to practice in various jurisdictions, as described in the certificate attached hereto as Exhibit A.

4. Justis is a member in good standing in every jurisdiction where he has been admitted to practice.

5. There are no disciplinary proceedings pending against Justis as a member of the bar in any jurisdiction.

5. Justis is familiar with the Local Rules of the United States District Court of the District of Massachusetts.

In further support of this motion, the certificate of Justis is attached hereto as Exhibit A. The fee for admission *pro hac vice* will be remitted to the clerk's office today.

Counsel for the Defendants has indicated that they do not oppose this motion.

WHEREFORE, undersigned counsel respectfully requests that this Court admit Justis *pro hac vice*.

Respectfully submitted,

/s/ Nicholas J. Walsh
Nicholas J. Walsh (BBO No. 647702)
Dwyer & Collora, LLP
600 Atlantic Avenue
Boston, MA 02210
(617) 371-1000

Dated: March 18, 2004

RULE 7.1 CERTIFICATION

I, Nicholas J. Walsh, hereby certify pursuant to Local Rule 7.1(A)(2) that on the 18th day of March, 2004, counsel for the Defendants and the Plaintiff conferred in good faith in an attempt to resolve or narrow the dispute raised in the Motion Pursuant to Local Rule 83.5.3(b) For Admission *Pro Hac Vice*. As a result of this conference, the Defendants do not oppose this motion.

/s/ Nicholas J. Walsh
Nicholas J. Walsh

CERTIFICATE OF SERVICE

I, Nicholas J. Walsh, certify that on this 18th day of March, 2004, I served a copy of this document by mail upon the Defendants' attorneys of record and by hand upon Mr. Thomas W. Eager.

/s/ Nicholas J. Walsh

Nicholas J. Walsh

Exhibit A